

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Newport News Division



UNITED STATES OF AMERICA

v.

KHALIL RASHAD ARMSTRONG,
(Counts 1, 3, & 4)

DESTINY NA'MMEH DAVIS,
(Counts 1, 2, & 4)

Defendants.

)
) CRIMINAL NO. 4:22-cr- 12
)
)
) 18 U.S.C. §§ 922(a)(6), 924(a)(2) and 2
) Make a False Statement
) During Purchase of Firearm
) (Count 1)
)
) 18 U.S.C. §§ 922(d)(3) and 924(a)(2)
) Sell or Dispose of Firearm to an
) Unlawful User of Controlled Substance
) (Count 2)
)
) 18 U.S.C. §§ 922(g)(3) and 924(a)(2)
) Unlawful User of Controlled Substance in
) Possession of Firearm
) (Count 3)
)
) 18 U.S.C. §§ 924(a)(1)(A) and 2
) Make a False Statement with Respect to
) Information Required To Be Kept By a
) Licensed Firearms Dealer
) (Count 4)
)
) 18 U.S.C. § 924(d)
) Criminal Forfeiture

INDICTMENT

FEBRUARY TERM - at Newport News, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE

(Make a False Statement During Purchase of Firearm)

On or about February 21, 2021, in the Eastern District of Virginia, the defendants, KHALIL RASHAD ARMSTRONG and DESTINY NA'MMEH DAVIS, in connection with the acquisition of a firearm, to wit: a Taurus, Model G3, 9mm, semiautomatic handgun, S/N: ACA441219, from Wilcox Bait & Tackle Inc., a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, knowingly made a false and fictitious written statement to Wilcox Bait & Tackle Inc., as to a fact material to the lawfulness of such sale of the said firearm to the defendant under Chapter 44 of Title 18, in that the defendant, DESTINY NA'MMEH DAVIS, did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, to the effect that she was the actual buyer of the firearm indicated on the Form 4473, when in fact as she then knew, defendant KHALIL RASHAD ARMSTRONG was the actual buyer of the firearm.

(In violation of Title 18 United States Code, Sections 922(a)(6); 924(a)(2); and 2).

COUNT TWO

(Sell or Dispose of Firearm to an Unlawful User of Controlled Substance)

On or about February 21, 2021, in the Eastern District of Virginia, the defendant, DESTINY NA'MMEH DAVIS, knowingly sold a firearm, to wit: a Taurus, Model G3, 9mm, semiautomatic handgun, S/N: ACA441219, to KHALIL RASHAD ARMSTRONG, knowing and having reasonable cause to believe that KHALIL RASHAD ARMSTRONG was then an unlawful user of a controlled substance as defined in 21 U.S.C. § 802.

(In violation of Title 18 United States Code, Sections 922(d)(3) and 924(a)(2)).

COUNT THREE

(Unlawful User of Controlled Substance in Possession of Firearm)

On or about February 21, 2021, in the Eastern District of Virginia, the defendant, KHALIL RASHAD ARMSTRONG, knowing that he was an unlawful user of a controlled substance as defined in 21 U.S.C. § 802, did knowingly possess a firearm, to wit: a Taurus, Model G3, 9mm, semiautomatic handgun, S/N: ACA441219, said firearm having been shipped and transported in interstate and foreign commerce.

(In violation of Title 18 United States Code, Sections 922(g)(3) and 924(a)(2)).

COUNT FOUR

(Make a False Statement with Respect to Information Required
To Be Kept By a Licensed Firearms Dealer)

On or about February 21, 2021, in the Eastern District of Virginia, the defendants, KHALIL RASHAD ARMSTRONG and DESTINY NA'MMEH DAVIS, knowingly made a false statement and representation to Wilcox Bait & Tackle Inc., a licensed dealer of firearms within the meaning of Chapter 44, Title 18, United States Code, with respect to information required by the provisions of Chapter 44 of Title 18, United States Code, to be kept in the records of Wilcox Bait & Tackle Inc., in that the defendant, DESTINY NA'MMEH DAVIS, did execute a Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives Form 4473, Firearms Transaction Record, to the effect that the actual buyer of the firearm, defendant KHALIL RASHAD ARMSTRONG, had not been an unlawful user of a controlled substance as defined in 21 U.S.C. § 802 or under the age of twenty-one (21) years-old, whereas in truth and in fact, KHALIL RASHAD ARMSTRONG had been an unlawful user of a controlled substance as defined in 21 U.S.C. § 802 and under the age of twenty-one (21) years-old.

(In violation of Title 18 United States Code, Sections 924(a)(1)(A) and 2).

FORFEITURE

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE THAT:

1. The defendant, if convicted of any of the violations alleged in this indictment, shall forfeit to the United States, as part of the sentencing pursuant to Federal Rule of Criminal Procedure 32.2, any firearm or ammunition involved in or used in the violation.
2. If any property that is subject to forfeiture above is not available, it is the intention of the United States to seek an order forfeiting substitute assets pursuant to Title 21, United States Code, Section 853(p) and Federal Rule of Criminal Procedure 32.2(e).
3. The property subject to forfeiture includes, but is not limited to: a Taurus, Model G3, 9mm, semiautomatic handgun, S/N: ACA441219.

(In accordance with Title 18, United States Code, Section 924(d)(1) and
Title 28, United States Code, Section 2461(c)).

Pursuant to the E-Government Act
the original of this page has been filed
under seal in the Clerk's Office

United States v. Khalil Rashad Armstrong, et al.
Criminal No. 4:22-cr- 12


A TRUE BILL:

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FOREPERSON

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